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K. Great Brit. Geo. III. King
of the White



884. ⁸22

IN ORDER TO PREVENT THAT THE FRENCH ARMED FORCES SHOULD OBTAIN THE SUPPORT OF THE PARLIAMENT, ALL THE MEMBERS OF THE PARLIAMENT ARE TRYING TO GET THE PARLIAMENT TO DECIDE TO SIXTY THOUSAND MEN WITH THEIR VOTES, AND THE PARLIAMENT HAS BEEN TAKEN OVER BY THE THREE ACTS OF PARLIAMENT, NAMELY, THE SUPPLEMENTARY MILITARY MILITIA.

The SUPPLEMENTARY MILITIA.

CAVALRY.

and to **NECESSARY FOR PERSONS IN GENERAL.**

1796. - Ein Jahr, das die Welt veränderte!

PRICE SIX-PENCE.

Defence against Foreign Invasion.

IN order to prevent any mis-apprehension of the measure taken for the defence of the kingdom against A FRENCH INVASION, ALL TRUE FRIENDS TO THEIR COUNTRY are desired to remark, that by the act lately passed, a force of SIXTY THOUSAND MEN will be ready incase of necessity, on the shortest notice, properly armed and cloathed, and in readiness to join the MILITIA of their own counties. Such a force will leave no doubt, if the attempt should be made, of the contest being brought to a speedy and successful issue; and of the country being delivered from all the miseries and horrors which would otherwise arise from the landing of an enemy.

This object, so important to the public, will be effected with little inconvenience to individuals.

The persons enrolled under this act will, in the first instance, only be called out and exercised within their own counties, for the space of twenty days, during which time they will receive one shilling per day; and particular provision is made for SUPPORTING THEIR FAMILIES during their absence.

No further service will afterwards be required from them unless in the event of an actual invasion, or the immediate expectation of it;—in which case, no man who has any regard for himself, his family, or his country, but would, of his own accord, stand forward for the common defence.

The services, however, of persons enrolled under this act will be doubly useful in case of such necessity, by their being armed and instructed beforehand, and conducted by proper officers, selected from their own neighbourhood: their service can at any rate be wanted only for a short time, and there is even the greatest reason to hope that the knowledge of such preparations may be sufficient to prevent the enemy from being desperate enough to make an attempt which can end only in their ruin:

God save the King, and protect Old England!

An abstract of an Act for providing an Augmentation to the MILITIA, to be trained and exercised in the Manner therein directed; and for enabling His Majesty to cause the same to be embodied, in Case of Necessity, for the Defence of these Kingdoms.

THE Act recites, That, in order to prevent or repel any attempt which the enemies of the country may make to effect a descent upon this kingdom, it is expedient to augment the militia forces in such manner, and to provide that such augmentation may be trained, and exercised to arms, without delay, *and embodied, in case of emergency*; and enacts, That his majesty's lieutenants of counties shall have authority to call together, arm, array, and cause to be trained and exercised, the Supplementary Militia to be raised by virtue of the act, with power to appoint officers, as fully as they are authorised to execute the militia laws.

Officers who may be appointed are

Officers acting in the present militia.

Other persons possessing the qualifications required by the militia laws.

Officers in the army on full or half pay.

Who shall have no higher rank in the militia than they have or had before.

Lieutenants of counties, and deputy lieutenants, may raise the supplementary militia either at meetings appointed to be held under the former acts, or at meetings specially appointed under the present act.

Deputy lieutenants and justices of the peace, at their first subdivision meeting, after they shall have received the lists of men liable to serve, as directed by the act of 26 Geo. III. Chap. 107, are to make a duplicate thereof, and to amend such duplicate, by inserting the names of all men liable to serve in the supplementary militia, leaving out such only as are expressly excepted by the act, of which a return is to be made to the general meeting.

The general meeting has the appointment of the number of men to serve for each hundred, rape, lath, wapentake, or other division within the county, which general meeting must be held before the second subdivision meeting.

At the second subdivision meeting, the number of men to serve for each parish, tything, and place, are to be appointed.

At the third subdivision meeting, which is to be held as soon as convenient, and within three weeks from the former (of which, and also of the number appointed to serve for each place, notice is to be given) the deputy lieutenants are to cause a ballot to be had for those who are to serve.

At the fourth subdivision meeting, to be held as soon as convenient, and within three weeks from the last, the men chosen by ballot are to be enrolled, and to take the following oath, viz.

“ I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to His Majesty King George; and I do swear, That I am a Protestant, and that I will faithfully serve in the militia, within the Kingdom of Great Britain, for the Defence of the same, during the present War, and for the Space of One Calendar Month after the End thereof.”

Which may be administered by one deputy lieutenant or justice of the peace.

Persons chosen by ballot may produce substitutes, who, being approved, shall be sworn to serve for the same term; and the ballotted men shall not be again chosen to serve in the supplementary militia; and any person chosen by ballot may, after enrolment, obtain his discharge by procuring a substitute to serve for him.

No substitute to be rejected on account of the number of his children.

Any person may provide, and any persons may offer themselves to serve as volunteers, in the said supplementary militia, at any time previous to the ballot for the county; such volunteers to be enrolled and sworn before any deputy lieutenant or justice of the peace.

But unless the number of volunteers shall in any subdivision amount to two thirds of the whole number to be raised for that subdivision, the deputy lieutenants shall on the day of ballot proceed to choose the remainder of men then wanted; and if the number of volunteers shall amount unto or exceed two thirds of the whole to be raised for such subdivision, then the ballot may

be suspended for five days, with liberty to his majesty's privy council to grant a further suspension, at the end of which time a ballot shall take place if any men are then wanted to be raised; but if the volunteers then enrolled shall make the full compliment of men, then no ballot shall be had in that subdivision: But no person who is intitled to be exempted from service as a militia man, shall be permitted to enrol himself as a volunteer.

Overseers of the poor who give money for volunteers, shall be re-imburfed out of the poor rates.

If by any means the whole number of men to be raised shall not be chosen at the first ballot, the deputy liutenants may cause other ballots to be taken, until the whole number shall be enrolled.

The levy of men for the supplementary militia shall in no degree impede the levy of men that may be required for the now existing militia, but the same shall proceed as if this act had not been passed.

The penalty on a person chosen by ballot, for neglecting to be enrolled or to provide a substitute is fifteen pounds, and he may again be chosen at any future ballot; and in default of payment, he shall be compelled to serve, under the pain of being punished as a deserter.

Quakers to be proceeded against in the manner provided by the act 26 Geo. III. Cap. 107.

The persons exempted from service in the supplementary militia are as follow: *viz.*

Officers of the army, militia, and volunteer corps, (having been entered in such corps on, or before the 20th *October, 1796*) or serving in any of his majesty's castles or forts.

Non-commissioned officers and private men serving in the army or militia, or in any volunteer corps, (having been entered in such volunteer corps before the said 20th *October*, or offered themselves to fill vacancies happening before the said 20th *October*.)

Clergymen—Licensed teachers of separate congregations—Resident members of either of the universities—Constables or other peace officers—Articled clerks and Apprentices, having been such before the 20th *October, 1796*—Seamen and seafaring men—Persons mustered, trained, and doing duty, or employed in any of the king's docks or dock yards, or in the tower of *London*, *Woolwich Warren*, gun wharfs, powder mills, or magazines or storehouses belonging to his majesty under the direction of the ordnance—Persons free of the watermens company—Poor men having more than three children born in lawful wedlock, under ten years of age, or infirm—Gamekeepers enrolled to serve in pursuance of any other act to be passed in the present session—Persons having served personally, or by substitute, in the existing militia—but no per-

son who has been discharged from the army, or any volunteer corps, or who has served in the present militia as a substitute, is exempted.

The deputy lieutenants may discharge a person chosen by ballot who appear to them to be unfit for service, and direct another person to be chosen, by ballot, in his room.

Militia men becoming infirm after enrolment may be discharged by the commanding officer of the militia for the county, if the supplementary militia shall not then be embodied; and when embodied, the commanding officer only, may discharge him, subject to the confirmation of two deputy lieutenants, before another person can be ballotted for in his room.

Vacancies occasioned by death, or promotion, may be filled up by ballot.

Contracts between masters and servants are not vacated, unless the servant, on being called to be trained, shall not return to the service, allowing an abatement on account of his absence; or unless the supplementary militia shall be embodied; in either of which cases, one justice of the peace may settle any difference that may have arisen touching wages.

Persons receiving money for their service in the militia, and not appearing, shall refund the same, and forfeit five pounds to the person from whom the money was received, and in default of payment, shall be committed to hard labour in the gaol or house of correction, by warrant of one deputy lieutenant or justice of the peace; and

persons agreeing to pay money, either to a substitute or volunteer, may be compelled to pay the same by the order of one justice of the peace.

The supplementary militia of any county shall be trained and exercised for the space of twenty days, to begin as soon as convenient after the passing of the act; and the whole may be trained together, or part thereof at one time, and another part at another, and so successively until the whole shall have been trained for twenty days: The time, manner, and place of training, to be settled at a general meeting of lieutenancy: The supplementary militia men, called out to be trained during twenty days, shall be subject to the same regulations as the existing militia during the times of annual exercise.

During the times of exercise the supplementary militia shall be commanded and exercised by such officers, and non-commissioned officers, as shall be detached from the militia of the county; and where a sufficient number cannot be spared, the lieutenant may, with the king's approbation, appoint others of the descriptions above mentioned, and all such officers shall be entitled to pay, above any pay or allowance they may be otherwise entitled to.

The supplementary militia men shall have notice given them of the times and places of training and exercise, which are to be settled at a general meeting, and notified to the constables pursuant to the orders they may receive; such notices to be affixed to the church doors, and served personally or left at the places of abode of the militia men.

The clerks of subdivision meetings are to make out lists of the men enrolled, and to send the same, together with notice of the time and place of exercise, to the commanding officer of the militia for the county, and a duplicate of such list to the adjutant.

Arms, accoutrements, and sufficient cloathing, to be provided for the supplementary militia; and such part thereof delivered to the use of the militia as may be necessary for training them, and the remainder to be kept in a place of security under the orders of his majesty.

Militia men selling, pawning, or losing, any arms, cloathing, or accoutrements, to forfeit a sum not exceeding five pounds; and in default of immediate payment may be committed to the house of correction for three months.

The arms which shall have been delivered out for the use of any militia, shall, when the men are not embodied, be under the care of the commanding officer, with the approbation of the lieutenant of the county.

Militia called out to exercise shall be quartered and billeted by the order of the lieutenant, or three deputy lieutenants, who may also provide convenient lodgings for non-commissioned officers, when not so called out nor embodied.

His majesty is authorised, in all cases of actual invasion, or upon imminent danger thereof, (the occasion being first communicated to parliament if sitting, or declared in council, and notified by proclamation, if parliament shall not then be sitting) to order the lieutenant, or deputy lieute-

gants, to embody the supplementary militia, within the county : to place them under the command of general officers, and to march them to any part of the kingdom ; to incorporate them into the militia of the county, or to form them into a separate regiment, battalion, or independant company, with a proper number of officers to command them ; and during such service, they are to be subject to the laws provided against mutiny and desertion.

No part of the supplementary militia shall be ordered out of *Great Britain*.

His majesty shall summon the parliament within fourteen days after the order for embodying the supplementary militia.

Notices shall be given to the militia men of the time and place of assembling, whenever his majesty shall cause them to be embodied, which notices shall be served, personally, or left at the place of abode of every militia man, by the respective constables ; and every militia man absenting himself after notice, or refusing to march, shall be liable to punishment, and persons harbouring them knowingly shall forfeit five pounds.

The commanding officers of the supplementary militia are entitled to receive one guinea for the use of every private militia man, who shall be called out and embodied ; such money to be laid out in the manner the commanding officer shall think most advantageous to the militia man, and he shall account for the same to such militia man before his discharge.

Officers and privates of the supplementary mi-

sitia are entitled during the service, to the same pay as the other regiments of foot ; and non-commissioned officers and privates shall have the benefit of *Chelsea Hospital* equally with other regiments.

The lieutenants and deputy lieutenants are directed to deliver to the clerk of the peace on or before the first of January, 1797, a certificate of the number of privates enrolled under the act, who shall lay the same before the justices, at the next sessions ; and the justices, at such sessions, shall cause the sum of fifteen pounds for each man omitted to be raised, to be levied annually, in like manner as the poor rates are levied.

If any person chosen by ballot shall leave a family unable to support themselves, they shall have the following weekly allowances, *viz.* a sum not exceeding one shilling for every child born in wedlock, and under the age of ten years, and a sum not exceeding one shilling for the wife of such militia man, whether he shall or shall not have any child or children ; the said allowances to be paid by the overseers of the place where such militia man shall dwell, with power to make a rate for that purpose.

The act of 26 G. III. cap. 107, and other acts relating to the raising, training, embodying, and calling out the militia, or providing for families of militia men called out, or to the paying, cloathing, or subsisting the militia, shall be applied in the execution of the present act.

The act shall continue to be in force during

the present war, and for one calendar month after the end thereof, and may be altered, varied, or repealed, during the present session of parliament.



An ABSTRACT of an Act for enabling his Majesty to raise a provisional Force of CAVALRY, to be embodied, in Case of Necessity, for the Defence of these Kingdoms.

THE act recites, That it is expedient, in the present conjuncture, that a body of cavalry should be enrolled, and kept in readiness to be called out to actual service, whenever it shall be necessary, in order to prevent or repel any invasion that may be attempted by the enemies of the country: and enacts, That, throughout that part of *Great Britain* called *England*, there shall be enrolled for his majesty's service, one horseman, and one able sufficient mare or gelding, fit for military duty, for and in respect of every ten horses kept for the purpose of riding, or drawing any carriage, which are charged to the duties on horses, granted by certain acts of the 24th, 29th, and 36th years, of *Geo. III.* by an assessment made, or to be made, after the 5th day of *April*, 1796, during the continuance of this act; the execution of which enrolment shall be in the manner directed by this act.

That every person who is charged to the said duties for ten horses, shall provide one mare or gelding for or in respect of such ten horses, and in like manner one other mare or gelding for or in respect of every ten horses, by him or her kept in addition to those before enumerated and charged as aforesaid; and shall also provide one able horseman, in respect of every such mare or gelding.

That the several persons before described, who are charged for any greater number of horses than shall

have been comprised in any enumeration before-mentioned, (such greater number of horses not amounting to ten additional horses,) and also all other persons in that part of *Great Britain*, as aforesaid, who are respectively charged to the said duties, for any number less than ten horses in the whole, shall be classed together, and shall provide one mare or gelding fit for military duty, for and in respect of every class consisting of ten horses ; and shall also provide one able horseman, in respect of every such mare or gelding.

That his majesty's lieutenants and deputy lieutenants, and the justices of the peace of the same counties, and such other persons as are authorised to carry into execution the militia laws, shall, at their general and subdivision meetings, carry this act into execution ; which general and subdivision meetings shall be holden, by the like persons, and in like manner, as such meetings are directed to be holden by the laws relating to the militia : and the jurisdiction of such meetings shall extend to all places within their respective counties, in the manner directed and established by the said militia laws, and also to all extra-parochial places whatever, within the limits of their respective counties or places.

That the first general meeting of lieutenancy, in every county shall be holden on a day, not later than fourteen days after the passing of this act ; and may be held in pursuance of previous adjournment, or by summons, and shall be held from time to time, by adjournment, within seven days from the preceding meeting, until the full complement of men shall be enrolled, and afterwards as occasion shall require.

That the subdivision meetings of lieutenancy shall be appointed by the first general meeting on a day not later than seven days after the first general meeting ; which meetings may be adjourned, and holden from time to time, as often as the general meetings of lieutenancy shall direct, or otherwise if occasion shall require.

That the commissioners of the treasury may issue such

sums of money as shall appear to them to be necessary for the purposes of this act.

That the commissioners of the treasury shall cause to be prepared a schedule of the horses charged to the said duties, by the last assessment made after the fifth day of April, 1796, containing the names of persons, the number of horses, places of residence, and division wherein they are charged; and shall cause the same to be laid before the general meetings of lieutenancy for the respective counties, at their first meetings by the respective surveyors of the said duties, and to be by them verified on oath if required, (which oath the lieutenant, or any one deputy lieutenant, or justice of the peace, may administer,) and the lieutenant, deputy lieutenants, and justices of the peace, shall proceed to ascertain and appoint the number of men to be provided within the precinct of each subdivision meeting in such county; and shall cause a copy, signed by them, of so much of the schedule as relates to the persons residing within the precinct of each subdivision meeting to be transmitted to the respective clerks of such meetings, to be laid before the next meeting.

That if any person, not rated to the full amount of what he or she ought to pay, shall neglect to deliver in a list of the greatest number of horses kept at any time in the year ending the 5th day of April, 1796, for the space of ten days after the passing of this act; or if any person, having began to keep any horses, at any time since the said 5th day of April, shall, for the space of ten days after demand, neglect to deliver in a list containing the greatest number of horses kept at any time since the said 5th day of April, 1796, every such person, so neglecting, shall forfeit the sum of twenty pounds.

That the above-mentioned penalty of twenty pounds shall be recoverable before any one or more of his majesty's justices of the peace of the county wherein the offence shall be committed, on proof of the offence; and the moiety shall belong to the informer, and the other

moiety thereof shall be paid to the receiver general for the county, to be applied to the purposes of this act; and in case of non-payment, shall be levied by distress and sale of the offender's goods and chattles.

That, after receiving the copy of such schedule as aforesaid, the deputy lieutenants shall cause to be prepared one list, signed by any two of them, containing the names and places of residence of all persons charged to the said duties for ten or more horses, and shall, by distinct enumerations of the horses, each to consist of ten horses, appoint the number of men, and also the number of mares or geldings which each person shall provide; and if any number of horses less than ten shall remain, then they shall insert the same in such list; and they shall also cause to be prepared another list, containing the names and places of residence of the several persons herein before described; and also of all other persons, within such subdivision, charged for one horse, or for any number of horses less than ten, together with the number thereof, in distinct classes, with reference to the number of horses by them respectively kept and charged; so that ten horses, and no more, shall be included in one class; and so that the name of any one person shall not be inserted in two or more classes; and so that every person named in any such class, shall stand one chance in the ballot, for every horse contained in such list: and if any number of horses shall remain to be enumerated, an account of the same shall be carried to some adjoining subdivision meeting in the county, where the like result has taken place, and so *toties quoties*.

The lists and classes shall be fairly written and deposited in the hands of the clerks of subdivision meetings, for the inspection of persons charged to the said duties, (who are empowered to demand, at all seasonable hours, inspection of the same (*gratis*)), and a second meeting to be holden within fourteen days then next ensuing, shall be appointed for the same subdivision, of which notice shall be given.

At the second meeting, the deputy lieutenants shall cause the name of one person to be drawn, by ballot, out of every class, who shall provide one horseman and one mare or gelding for each class; and when the ballot shall be finished, the deputy lieutenants shall cause to be prepared a list, in which shall be inserted the names of all the persons appointed, and also of all the persons chosen by ballot to provide men, stating the number of men, and also of mares or geldings so to be provided.

At a third meeting, every person appointed or chosen by ballot for the purposes of this act shall attend pursuant to notice given or left at the place of his abode, by the constable, tythingman, headborough, or other officer, who shall make a return, upon oath, of the times when such notice was served; and every person appointed or chosen by ballot, shall appear at the third meeting, and in case he shall intend to serve personally, shall there take the following oath; (*videlicet*),

‘ I A. B. do sincerely promise and swear, that I will be
 ‘ faithful and bear true allegiance to his majesty king
 ‘ *George*; and I do swear that I am a protestant; and
 ‘ that I will faithfully serve in the corps in which I am
 ‘ enrolled within the kingdom of *Great Britain*, for the
 ‘ defence of the same, during the present war, and for
 ‘ the space of one calendar month after the end there-
 ‘ of.’

Which oath may be administered by any one deputy lieutenant or justice of the peace; and every such person shall be enrolled to serve in the cavalry of such county as a private soldier: men, of the same county, or of some next adjoining county, able and fit for service in the cavalry, and approved by the deputy lieutenants and justices, may be enrolled as substitutes, and shall take the oath herein before prescribed.

If any person has *bona fide* ceased to keep any horse, and shall have remained during the whole interval without any horse liable to duty in lieu of the former, then such person shall be allowed, by certificate from

the deputy lieutenants, to receive back a part of the sum paid by him towards the assessments to be raised by virtue of this act proportioned to the time during which he shall have been *bona fide* without any horse.

Exemptions are as follow, *viz.*

Persons serving as commissioned officers in the army, or militia, or in any volunteer corps, before the 20th day *October*, 1796, or accepted before the said 20th day of *October* to serve upon vacancies, or, at their expence, furnishing a horse in any such corps—Persons serving in any of his majesty's castles or forts—Non-commissioned officers or private men serving in the army, or in the militia, by themselves or substitutes, or in any such volunteer corps—Resident members of either of the universities—Clergymen—Teachers of private congregations—Persons acting in a medical capacity, who, on account of their circumstances, shall be esteemed fit to be exempt—Constables or other peace officers serving for any parish or place—Persons being before or on the 20th day of *October* 1796, articled clerks or apprentices—Seamen or seafaring men—Persons mustered, trained, and doing duty or employed in any of his majesty's docks or dock yards, or employed and mustered in the Tower of *London*, *Woolwich Warren*, the gun wharfs, powder mills, powder magazines, or other storehouses, belonging to his majesty, under the direction of the board of ordnance—Persons being free of the company of watermen of the river *Thames*—Inferior officers of excise, and who respectively shall not be charged to the said duties for more than one horse.

No officer of his majesty's army, or of the militia whilst in actual service, shall be liable to provide any man or men, or any mare or gelding, mares or geldings, in respect of any horse, or any number of horses, kept by such officer within the number allowed to receive forage by his majesty's regulations.

If the person on whom the lot shall fall shall not be possessed of any mare or gelding which shall be approved of,

then any other person in the same class may provide a mare or gelding, who shall be allowed a sum of money by the deputy lieutenants, to be paid by the receiver-general, and assessed upon the class.

If in any class there shall be no person fit for military service, then the person on whom the lot shall first fall shall be bound to provide a substitute, and shall be allowed a sum of money by the deputy lieutenants, to be paid by the receiver-general, and assessed upon the class.

The clerks of the several subdivision meetings shall transmit to the general meeting an account of the number of men enrolled; and if the full complement of men shall not be enrolled, the lord lieutenant, or deputy lieutenants, may order a new appointment to be made, or a new ballot to be taken.

Every person shall be liable to the service in the parish or place where such person is charged to the said duties upon horses by the last assessment made after the said 5th day of April, 1796; and if charged to the said duties in two or more places, then in the place where charged for the greatest number of horses, unless he shall elect otherwise; and certificates of charge in such other place or places shall be transmitted to the general meeting of lieutenancy of the county wherein the said service is hereby required, by the commissioners who shall have made such assessment; and the clerk of the subdivision meeting where such person shall be liable, shall grant a certificate, *gratis*, that such return has been made.

No person shall be enrolled who is not, in the opinion of the deputy lieutenants, an able-bodied man fit to serve his majesty, and free from ruptures, and every other distemper or infirmity, which may render him unfit to perform his duty, or who shall appear to be under the age of sixteen years, or above the age of fifty years; nor any articled clerk or apprentice (unless with the consent of the master of such clerk or apprentice); nor any person enlisted in any of his majesty's forces, or entered in his majesty's navy, or in any volunteer corps.

Every man enrolled shall be furnished with, and shall appear, on every day of muster, in a suitable dress for a private soldier of cavalry; which dress shall be provided by himself, if he shall serve as a private; or if he shall serve as a substitute, then by the person for whom he shall so serve, according to the pattern of dress settled at a general meeting of lieutenancy for the county, and which shall have been approved of by his majesty.

No mare or gelding shall be admitted at any muster under the height of fourteen hands and two inches, or unfit for military duty, or not provided with sufficient furniture.

Penalty of five shillings for neglecting to appear at every day of muster in the proper dress, or not having kept the same with due care; to be deducted out of his allowance.

Penalty of twenty pounds for not appearing at a muster, or when ordered to be embodied, or within twenty-four hours after, and in default of payment, to be committed to hard labour to the gaol or house of correction for twelve calendar months.

Penalty for neglecting to provide suitable cloathing, or to provide proper furniture (before the first muster,) to be used at every successive muster to be had under this act; that is to say, if appointed to provide a man, forty shilling; if chosen by ballot, twenty shillings; and thirty shillings more by the class for the like default.

Penalty for neglecting to provide a man according to appointment or ballot, fifteen pounds.

Penalty for neglecting to provide a mare or gelding, or to keep and produce the same in a fit condition, when required, if by appointment, twenty pounds; if by ballot, ten pounds; and fifteen pounds more by the class for the like default.

Persons possessing a mare or gelding fit for duty, and producing another which shall be rejected, shall be obliged to provide a proper mare or gelding, under a penalty not exceeding twenty five pounds:

Any person enrolled as a substitute may resign, and shall be entitled to his discharge on finding another substitute; but if he shall upon his enrolment have received any money or other consideration for his service, the same must be repaid, and all arms, accoutrements, cloathing, or materials whatever, shall be delivered up in good condition before such discharge shall be granted.

Musters shall be had from time to time within each subdivision by the deputy lieutenants, the commanding office, or officers appointed by his majesty, at such times, and at such places, as shall be fixed on at any general meeting, with the approbation of his majesty; of which times and places notice shall be given; and if any person shall wilfully absent himself from such muster for the space of one hour after the time appointed for taking the same, he shall forfeit any sum not exceeding ten shillings, to be deducted out of his allowance; and the Lieutenant of the county may discharge such person, and direct another to be chosen in his place.

An estimate shall be prepared of what ought reasonably to be allowed for any extra expences to be incurred in providing furniture, or maintaining and keeping the mares or gelding provided for the service; and every person who shall be appointed or chosen by ballot to provide any man, or any mares or geldings, and who shall duly conform to the regulations of the act, shall be entitled to receive the full allowance settled; to be paid to them at such times as shall be fixed and settled by the general meetings of lieutenancy; which sums the receivers general are required, from time to time, until the men enrolled shall be called out and embodied, on demand, to pay; which allowances shall be transmitted to the commissioners of the land tax, who shall cause the same to be afflaxed.

If it shall appear that any person is unfit, or is become unfit for military service, the deputy lieutenants, and justices, may discharge such man from service, and cause another appointment to be made, or another ballot to be taken, according to the circumstances of the case.

All fines, penalties, and forfeitures shall be imposed at the respective subdivision meetings of the county, and be certified to the commissioners of the land tax; who shall add the same to the last assessment of such person for the said duties on horses.

All lists of persons appointed or chosen by ballot to provide men for the said service, and of the classes composing the same, shall be transcribed into a book kept by the clerk of the meetings; and all orders, regulations, and proceedings of such meetings, and also of the general meetings of lieutenancy, shall also be transcribed into a book or books to be kept by the respective clerks thereof; which books shall be open to the inspection of any person assessed to the said duties on horses, within the same county, at all seasonable times, paying six-pence, and no more, for each inspection.

His majesty may cause the men enrolled to be drawn out and embodied, whenever the supplementary militia may be drawn out and embodied; and may form the men into a regiment, or into battalions, or troops, as shall seem most expedient; and the lieutenant in such county, with the approbation of his majesty, may appoint officers and non-commissioned officers to the command of such regiment, battalions, or troops, qualified in the manner required by the laws relating to the militia, or officers in the army, whether on full or on half pay, or of persons who have had commissions in the army, or in the militia, and have retired therefrom, although not duly qualified as aforesaid.

That the men enrolled shall not on any account be carried or ordered to go out of *Great Britain*.

From the date of his majesty's warrant for drawing out and embodying the forces to be raised by virtue of the act, the officers and private men shall be entitled to the same pay as the officers and private men of his majesty's other regiments of cavalry receive; and any non-commissioned officer or private men shall be equally entitled to the benefit of *Chelsea hospital*; and the proprie-

tor of any mare or gelding dying, or maimed, or wounded in the service, shall have a reasonable allowance for the same, not in any case exceeding the sum of twenty-five pounds; to be paid by the receiver general of the county.

Persons having served in any such regiment, battalion, or troop, when drawn out into actual service, being married, may set up, and exercise any trade in any town or place within *Great Britain*, without any let, suit, or molestation.

The act, with respect to the service of the men enrolled, shall continue and be in force during the present war, and for the space of one calendar month after the determination thereof; but all the powers and regulations which shall be necessary for enforcing the due collection of the monies required for the pay, cloathing, and maintenance of the forces raised by virtue thereof, until the time of their actual discharge, shall continue and be in force for six calendar months after the end of the present war, and from thence to the end of the then next session of parliament.

~~St. John's~~

An ABSTRACT of an Act for raising a certain Number of Men, in the several Counties in England, for the Service of his Majesty's ARMY and NAVY.

THE act recites, that it is expedient for the public service, at the present conjuncture, that the most effectual measures should be adopted, for providing a speedy supply of men to serve in his majesty's army and navy: and enacts, that there shall be levied, within *England*, able-bodied men to serve his majesty in the army or navy of *Great Britain*. His majesty may constitute and appoint, in the several counties (except *London*,) officers to regulate the admission of men, who shall establish a convenient place or places of rendezvous, in each such county for the reception of such men; and every man shall, before his enrolment, be examined by one such regulating officer at the least, to serve his majesty, subject nevertheless to such controul as by this act is particularly directed.

The justices of the peace shall, within twenty-one days, assemble together, and hold a general sessions; and the justices of any town or borough, being a county of itself, and of any cinque port or liberty, duly qualified, shall assemble themselves together with the justices of such county; and the justices so assembled shall exercise the powers and jurisdictions of justices of the peace, as well for such city, town, or borough, cinque port, or liberty, as also for such county at large; and that the said justices may, from time to time, adjourn such court of general sessions, so that such adjournment shall not be for any longer time than from day to day (*Sundays excepted.*)

The clerk of the peace of every county shall, with the assent of any two justices of the peace, appoint the time and place of holding the first court of general sessions, of which notice shall be given five days before the day appointed.

The commissioners of his majesty's treasury shall cause to be prepared lists of the number of all the inhabited houses which are assessed, and pay to the duties on inhabited houses, or to the duties on houses, windows, or lights; distinguishing therein each hundred, rape, lath, wapentake, or district, and also each parish within such hundred, rape, lath, wapentake, or district, to be laid before the justices assembled at their general sessions, by the respective surveyors, to be by them verified on oath, if required (which oath the justices are hereby authorized to administer); and such justices shall proceed to appoint what number of men shall serve for each hundred, city, or town, rape, lath, wapentake, or district, and also for each parish, within such hundred, city, or town, rape, lath, wapentake, or district, in proportion as near as may be to the number of houses; and shall issue an order to the chief constables, requiring them to give notice to the overseers of the poor of every parish, of the number of men so appointed to be levied for such parish, and of the time allowed for raising the same, and of making a return; and the justices at such general sessions shall appoint petty sessions for the purpose of receiving the returns of the officers of the several parishes, and of attesting and causing to be enrolled the number of men to be raised; and the justices shall also appoint a time for holding the first petty sessions at a day not later than twenty-one days after issuing the orders before-mentioned.

The justices of the peace usually acting in and for the district, shall be the justices for holding such petty sessions, and no other; and shall receive the returns of the overseers of the poor; and fix a time for hearing appeals against the proceedings of regulating officers, and give notice thereof; and which shall not be later than twenty

days after the returns made by the overseers; and such justices shall hear and determine such appeals, and any one or more of such justices there attending, or in default of such attendance, the high constable or other principal officer of the peace, may adjourn the petty sessions, giving public notice thereof,

The justices may add together two or more parishes, and shall proceed to raise the proportion of men, in like manner as if they had been originally charged upon one parish; and the overseers shall act together as if they were respectively officers of one and the same parish; and that any extra-parochial place may be added to any parish adjoining thereto; and if any difference shall arise between the inhabitants or officers of any parish, or between the officers of different parishes, the justices of the peace, at any petty sessions, may hear and determine the same, and make order therein.

Any fine or any bounty directed to be levied, shall be apportioned between such parishes and places respectively, in such proportions as the number of inhabited houses assed to and paying the said duties in each parish or place shall bear to each other.

The overseers of the poor, receiving such notice, shall call together the principal inhabitants of such parish to a vestry or other meeting, to take into consideration the most speedy and effectual means of raising the number of men, giving two days public notice; and the overseers, with the consent of the inhabitants, may agree with any person to enter as a volunteer, and to give to such volunteer a bounty, and to make a rate upon the inhabitants, according to the rate then made for the relief of the poor, or to pay the same, out of any money in their hands of the rates for the relief of the poor; or to make a rate, for the relief of the poor, sufficient to satisfy all probable claims to raise thereon, by virtue of this act.

If it shall appear that such rate cannot be collected within due time, it shall be lawful for such justices to make order therein, and grant a certificate thereof, directed to

the receiver-general of the land-tax, or to the collector thereof, or any of the collectors of customs or excise, who shall advance the sum mentioned in such certificate, to the person or persons enrolled, or to the treasurer of the county, as shall be directed by such certificate; and shall be reimbursed by an order of the justices out of the rates for the relief of the poor.

The justices of the peace, before whom any person shall be brought to be examined, may direct one third part of the bounty to be advanced to such person, or to such of his family as he shall request; and the residue to be paid to the treasurer of the county.

Every person who shall agree to enter himself as a volunteer, shall be produced before the regulating officer, at the nearest place of rendezvous; and in case such officer shall approve of such volunteer, he may be brought before two or more justices of the peace acting in and for the county, who may certify, that such person hath voluntarily entered himself in the service, to the proper regulating officer, who shall thereupon cause such person to be enrolled; and the justices shall at the same time make an order, requiring the overseers of the poor to pay to the treasurer of the county, within the space of fourteen days, the full bounty-money then remaining due.

In case the regulating officer shall reject any volunteer as unfit to serve his majesty, it shall be lawful for the overseers, on giving immediate notice, to appeal to the justices of the district, and the regulating officer, on receiving such notice, shall set down his reasons, in writing, for such rejection; and the order of justices therein shall be final and conclusive to all parties.

Overseers of the poor shall make a return to the justices of the district, at their petty sessions, specifying the name, place of the birth or lawful settlement, the age, and the calling of every person enrolled, together with the amount of bounty, and sums advanced to volunteers, which shall be verified on oath (if required) and which oath such justices are hereby authorized to administer; and every

such return shall be delivered to the clerk of the peace, to be enrolled at the sessions.

Returns of the number of men appointed to be raised, shall be made to the justices of the district, within the space of three weeks after notice of the order of general sessions, and the justices may summon the overseers making default; and in case such default hath happened by reason of any wilful neglect of, or disobedience to, the said order of sessions, the justices may fine the overseers in ten pounds over and above the average bounty; and levy the same by warrant, by distress and sale of the goods and chattels of such overseers, in case such justices shall adjudge the default to have been wilfully made by the said overseers; or to cause the same to be raised by a rate upon such inhabitant or inhabitants who shall be adjudged to have wilfully made such default; but in case such justices shall deem such default unavoidable, it shall be lawful for such justices to allow further time, not exceeding fourteen days.

All bounties and fines shall be paid into the hands of the treasurer of the county, for the uses and purposes of this act; and such treasurer shall place the amount of fines to the account of the parishes paying the same, and the amount of bounties to the account of the volunteers for whose use the same was collected; and where default shall be made, any person or persons having authority under his majesty, may provide substitutes, or any persons may voluntarily come before any two or more justices, and consent to serve as substitutes, and the justices are authorized to settle the bounty to be paid for such substitutes.

Justices shall transmit a duplicate of every certificate to the clerk of the peace for the county, to be enrolled at the sessions.

Justices shall make an order upon the treasurer, to transfer, in this account, unto the use of substitutes, such sums, not exceeding the amount of the fines levied, as have been agreed to be paid as bounties; and may

order such further sum, out of the residue of such fines, to be paid to any person who shall have used diligence in providing any such substitutes; and the residue shall be in the disposal of the justices at the general or quarter sessions of the peace, and applied in providing men for the augmentation of his majesty's army or navy, at any time before the time of holding the *Easter* quarter sessions 1797.

Every certificate shall be transmitted along with the person enrolled, and delivered to the commanding officer of the regiment, battalion, or company, or of the ship or vessel in which such person shall be entered to serve; and such commanding officer shall, within four days, make out a ticket for the payment of the bounty then remaining due, in such manner as if such bounty money had become due on account of arrears of pay.

If the volunteer shall have entered himself to serve in the army, then the pay ticket shall be delivered to the treasurer of the county, by the officer making out the same, with a certificate indorsed thereon, acknowledging the receipt of such volunteer; and the treasurer shall forthwith pay the same, and the same shall be paid over to the respective volunteers entitled thereto without delay.

In case such volunteer shall be entered to serve in his majesty's navy, then the residue of such bounty money, or part thereof, may be paid to such person, or his wife, father, mother, child, or children, in such proportions as he shall request.

If such bounty money shall be to be paid to the volunteer, the commanding officer of the ship shall apply to the commissioners of the navy, or to the resident commissioners at the port where the ship may then be, for payment of the same; and where such person shall desire any portion of the said bounty money to be paid to his family, the same shall be remitted in the manner directed by an act of the thirty-first year of the reign

of his late majesty, and shall be made payable by the treasurer of the county.

The justices assembled either at the general or quarter sessions, or at their petty sessions, may from time to time issue their order or warrant, requiring the attendance of the high constable, constable, tything man, headborough, or overseers of the poor; who, for any neglect to appear, or to comply with such orders, shall incur a penalty not exceeding twenty pounds, nor less than five pounds; and in case of fraud, wilful partiality, or gross neglect, may, over and above such penalty, be committed to the common gaol.

Justices may order and direct the overseers to continue in their offices, for the purpose of effectually and completely carrying the act into execution.

If any overseer shall die, or remove from the place for which he was appointed, or become insolvent, it shall be lawful to appoint another overseer in his stead; and overseers, their executors, administrators, or assents, shall account to the justices for all proceedings.

Justices at their quarter sessions, held next after the day of *Easter* in the year 1797, shall require the treasurers of the county to deliver in an account of all sums by them received; and if any sum or sums of money received by them remain unaccounted for, the said justices may order such treasurers, within fourteen days, to pay to the receiver general of the county, or his deputy, the balance due.

The justices shall issue their orders to the acting overseers of any parish where any sum of money shall appear not to have been paid into the hands of the treasurer of the county, requiring them to pay the sum and sums in arrear to the said treasurer, out of the monies raised for the relief of the poor in such parish or parishes, or to make a rate for the same.

If the sum of money remains in the hands of any overseers of the poor who have gone out of office, and such default, with the sums in arrear, and the names of

the defaulters, is returned to the justices, they may issue their order, directed to the persons making such default, requiring them to pay to the treasurer of the county the sum in arrear, within fourteen days; or if the persons so in arrear be dead, or become bankrupt or insolvent, or shall not be then resident within the jurisdiction of such justices, it shall and may be lawful for any two of them to direct the then acting overseers of the poor to raise and pay the sum or sums in arrear to the treasurer.

The treasurer shall pay over, within fourteen days after he shall receive the same, all sum and sums of money received by him at any time after the said *Easter* sessions in the year 1797, to the receiver general of the county, or his deputy; and shall also, on demand made by any justice of the peace, deliver an account of all monies which they shall receive at any time after the said *Easter* sessions, applicable to the uses and purposes herein mentioned.

If any treasurer, or any overseer, shall refuse or neglect to obey the order of justice, it shall be lawful for any two or more such justices to levy any sum in arrear, by distress and sale of the goods and chattels of the person or persons so making default.

Justices shall cause the accounts of treasurers to be transmitted to the commissioners of his majesty's treasury.

The commissioners of his majesty's treasury may demand from the receiver of any county an account of sums received, and direct the same to be paid to the paymasters general of the army, or the treasurer of the navy; and such monies shall be applied to the re-payment of such sums of money as shall appear by the tickets of enrolment to be due to the paymasters general and treasurers of the navy respectively.

The clerk of the peace of every county shall, within fourteen days next after the quarter sessions held next after the day of *Easter* in the year 1797, transmit to the secretary at war a copy of every return and certifi-

cate of men raised to serve in the army ; and to the commissioners of the admiralty a copy of every return and certificate of men raised to serve in the navy, under the penalty of fife hundred pounds.

No person shall be enrolled who is not an able bodied man fit to serve his majesty, and free from ruptures, and every other distemper, or bodily weakness or infirmity, or who shall appear to be under the age of 16 years, or above the age of 45 years, nor any articled clerk or apprentice, or persons serving under articles in the coal trade (unless with the consent of the master of such clerk or apprentice, or of the master of such other person as aforesaid;) nor any person enlisted in any of his majesty's forces, whether military or marine, or who has deserted therefrom, or who is already entered in his majesty's navy ; nor any poor man (not being a sea-faring man) who has more than two children born in wedlock.

Every person enrolled and entered into any regiment or independent company of his majesty's army, shall be liable to serve therein during the continuance of the present war, and for the space of one calendar month after the end of the war, if the regiment or independent company in which such person shall be serving, shall be in *Great Britain*, or otherwise, for the space of one calendar month next after their arrival in *Great Britain*; and every person entering into the service of the navy, shall be liable to serve therein during the continuance of the present war, and for the space of one calendar month after the end of the war, if the ship on board which such person shall serve shall be in any of the ports of *Great Britain*, or otherwise for the space of one calendar month next after the arrival of such ships in any such port.

Any person, enrolled in his majesty's naval service, who shall desert such service, or shall list himself in his majesty's military or marine forces, without first having a discharge in writing from the said commissioners of

the admiralty, or shall strike or use any violence against any officer, or shall disobey any lawful command of such officer, shall suffer death, or such other punishment as by a court martial shall be inflicted.

Constables may apprehend, or cause to be apprehended, any deserter, and any justice may cause him to be conveyed to the gaol of the county, or to the house of correction or other public prison, or to *The Savoy*.

A reward to be paid to any person or persons, who shall apprehend, or cause to be apprehended, any such deserter from his majesty's said service, of twenty shillings.

Any person who shall harbour, conceal, or assist any deserter from his majesty's said naval service, shall forfeit the sum of five pounds.

It shall be lawful to quarter and billet the men enrolled while on shore, (except in *London*,) under such regulations as his majesty's marine forces may be quartered and billeted.

It shall be lawful to quarter and billet the officers appointed by his majesty to act in the execution of this act, and their respective assistants, under such regulations as the men to be enrolled in his majesty's service by virtue of this act may be quartered and billeted; and that, each and every the house or houses and place or places where such officers shall be quartered or billeted, it shall be lawful to appoint and constitute a place or places of rendezvous for the reception of men enrolled by virtue of this act.

If any person shall falsely make oath to any of the matters hereinbefore required to be verified, such person shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and if any person shall counterfeit, erase, alter, or falsify any certificate or return, or shall knowingly or wilfully make use of any certificate or return so counterfeited, erased,

alter'd, or falsified, such person shall, for every such offence, forfeit the sum of five hundred pounds.

Any person enrolled in his majesty's service, accused of any capital crime, or of any violence or offence against the person, estate, or property of any of his majesty's subjects, which is punishable by the known laws of the land, may be delivered over to the civil magistrate; and if any officer shall wilfully neglect or refuse to deliver over such person to the civil magistrate, or to be aiding and assisting to the officers of justice in the apprehending such offender, every such officer so offending shall be utterly disabled to have or hold any civil or military office or employment within this kingdom, or in his majesty's service.

No person enrolled shall be liable to be taken out of his majesty's service by any process whatever, other than by some criminal process, for some criminal matter punishable by the known laws of the land.

Justices may hear and determine differences between masters and servants.

All penalties which exceed the sum of twenty pounds (except fines for not raising the proportion of men) shall be recovered by action of debt, bill, plaint, or information, in any of his majesty's courts of record at *Westminster*, or the courts of great session in the principality of *Wales*, or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*; and all penalties which shall not exceed the sum of twenty pounds, shall, upon proof upon oath before any two or more justices of the peace, be levied by distress and sale of the offender's goods and chattles; and for want of sufficient distress, such justices are required to commit such offender to the common gaol of the county, for any time not exceeding three months; and the money arising by all such penalties shall be paid, one moiety thereof to his majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to him or them that will inform or sue for the same.

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The clerks of the peace, treasurers, clerks of justices at petty sessions, constables, and other officers, who shall execute the act to the satisfaction of the justices of the peace, shall have and receive such rewards as the said justices shall judge the said officers to have deserved, to be paid by the treasurer of such county, out of any money in his hands of the county rates.

Justices to enforce payment of sums in arrear from the treasurers of counties, of monies levied by 35 Geo. III. Cap. 5.

Commissioners of the navy may demand an account from the treasurers of the county, and direct the monies in their hands to be paid to them.

Provision in regard to *Quakers* who are overseers. A rate to be ultimately made in all cases for the particular purposes of this act.

Forms of the proceedings set forth in the Schedule annexed to the act may be used on all occasions, with such additions and variations only as may be necessary to adopt them to the particular exigencies of the case, and no objection shall be made for want of form in any such proceedings.

FINIS.

